

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Darryl R. Galentine
Jennifer L. Galentine
Debtor(s)

Bankruptcy Case No.: 19-70191-JAD
Issued Per May 17, 2019 Proceeding
Chapter: 13
Docket No.: 24 - 2
Concil. Conf.: October 3, 2019 at 10:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 30, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Oct. 3, 2019 at 10:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Department of Revenue at Claim No. 1 .
- ☒ H. Additional Terms: The secured claim of First National Bank of PA at Claim No. 5 shall govern as to claim amount, to be paid at the modified plan terms.
The liquidation alternative test is \$15,000.
Only counsel for a Johnstown Debtor(s) in the Johnstown area may participate in plan conciliation conferences by telephone. Counsel for the Debtor outside of the Johnstown area may appear telephonically, ONLY IF Counsel for the Debtor is responsible for originating the telephone call to the Chapter 13 Trustee's meeting room, by calling, 412-258-3557 at the time

designated for the conciliation conference. If applicable as stated above, any party filing an objection to the plan must make arrangements with counsel for the Debtor to be included in the call, utilizing a third-party conference call service if necessary. The call shall not be placed to the Trustee's meeting room until AFTER all parties have been connected to the call. Only the parties who file and serve timely objections will be included in the telephonic hearing.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: May 24, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 5 of 6
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Darryl R. Galentine
 Jennifer L. Galentine
 Debtors

Case No. 19-70191-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: jhel
 Form ID: 149

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 Total Noticed: 40

Date Rcvd: May 24, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2019.

db/jdb +Darryl R. Galentine, Jennifer L. Galentine, 519 S State St, Du Bois, PA 15801-1559
 15024130 +Allegheny Heath Network, PO Box 645266, Pittsburgh, PA 15264-5250
 15024131 #+Allied Interstate, PO Box 361445, Columbus, OH 43236-1445
 15024133 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886-5019)
 15035323 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 15024134 Beneficial, PO Box 5233, Carol Stream, IL 60197-5233
 15024137 CBCS, PO Box 2724, Columbus, OH 43216-2724
 15024136 +Capital One Bank, 120 Corporate Blvd, Norfolk, VA 23502-4952
 15024139 Dubois Reg Cardiology Assoc, 145 Hospital Ave, STE 113, Du Bois, PA 15801-1463
 15024144 +FNB Consumer Disc Co, PO Box 830, Du Bois, PA 15801-0830
 15024140 First Bankcard, PO Box 3331, Omaha, NE 68103-0331
 15024141 +First National Bank, One FNB Blvd, Hermitage, PA 16148-3363
 15047170 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 15024142 First National Bank of PA, PO Box 6122, Hermitage, PA 16148-0922
 15035720 +First National Bank of Pennsylvania, 4140 E. State St., Hermitage, PA 16148-3401
 15024143 Firstsource Advantage LLC, PO Box 628, Buffalo, NY 14240-0628
 15024145 Midland Credit Manag, PO Box 2000, Warren, MI 48090-2000
 15024146 +Midland Funding LLC, Meridan Center, 2 Industrial Way West, Eatontown, NJ 07724-2265
 15024148 Partners in Nephro and Endo, 5171 Liberty ave, Pittsburgh, PA 15224-2254
 15024149 +Patrick Ford DJ, PO Box 452, Du Bois, PA 15801-0452
 15024150 Penn Highlands Dubois, PO Box 447, Du Bois, PA 15801-0447
 15024153 #+Regency finance Center, 904 Beaver drive, PO Box 830, Du Bois, PA 15801-0830
 15024161 +Timberland FCU, 821 Beaver Drive, Du Bois, PA 15801-2511
 15024163 Weltman, Weinberg & Reis, 437 Seventh Ave, STE 2500, Pittsburgh, PA 15219-1842

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 cr

+E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 25 2019 03:11:51
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15024135 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 25 2019 02:47:27 Capital One,
 PO Box 30285, Salt Lake City, UT 84130-0285
 15033858 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com May 25 2019 02:48:18
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15024138 E-mail/Text: mrdiscen@discover.com May 25 2019 02:53:33 Discover Products Inc,
 6500 New Albany Road, New Albany, OH 43054
 15028485 E-mail/Text: mrdiscen@discover.com May 25 2019 02:53:33 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15048518 +E-mail/Text: bankruptcydpt@mcsmc.com May 25 2019 02:54:25 Midland Funding LLC,
 PO Box 2011, Warren, MI 48090-2011
 15044935 E-mail/PDF: cbp@onemainfinancial.com May 25 2019 02:47:10 ONEMAIN, P.O. BOX 3251,
 EVANSVILLE, IN 47731-3251
 15024147 E-mail/PDF: cbp@onemainfinancial.com May 25 2019 02:48:53 One Main, The Commons,
 280 Commons Drive, Du Bois, PA 15801-3808
 15024152 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com May 25 2019 02:47:31
 Portfolio Recovery Assoc LLC, 120 Corporate Blvd, Norfolk, VA 23502
 15027756 E-mail/Text: RVSVCBICNOTICE1@state.pa.us May 25 2019 02:54:08
 Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946,
 Harrisburg PA 17128-0946
 15024155 E-mail/Text: jennifer.chacon@spservicing.com May 25 2019 02:55:32 Select Profile Servicing,
 PO Box 65250, Salt Lake City, UT 84165-0250
 15024644 +E-mail/PDF: gecsed@recoverycorp.com May 25 2019 02:47:14 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15024156 E-mail/PDF: gecsed@recoverycorp.com May 25 2019 02:48:07 Synchrony Bank/Care Credit,
 PO Box 960051, Orlando, FL 32896-0051
 15024157 E-mail/PDF: gecsed@recoverycorp.com May 25 2019 02:47:14 Synchrony Bank/JCP,
 PO Box 960090, Orlando, FL 32896-0090
 15024158 +E-mail/PDF: gecsed@recoverycorp.com May 25 2019 02:48:07 Synchrony Bank/Lowes,
 PO Box 965005, Orlando, FL 32896-5005
 15024160 E-mail/PDF: gecsed@recoverycorp.com May 25 2019 02:47:14 Synchrony Bank/Walmart,
 PO Box 965024, El Paso, TX 79998

TOTAL: 16

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr U.S. Bank National Association, as indenture trust
 15024132* +Allied Interstate, PO Box 361445, Columbus, OH 43236-1445
 15024151* Penn Highlands Dubois, PO Box 447, Du Bois, PA 15801-0447
 15024154* +Regency finance Center, 904 Beaver drive, PO Box 830, Du Bois, PA 15801-0830
 15024159* +Synchrony Bank/Lowes, PO Box 965005, Orlando, FL 32896-5005
 15024162* +Timberland FCU, 821 Beaver Drive, Du Bois, PA 15801-2511
 15024164* Weltman, Weinberg & Reis, 437 Seventh Ave, STE 2500, Pittsburgh, PA 15219-1842

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District/off: 0315-7

User: jhel
Form ID: 149

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Total Noticed: 40

Date Rcvd: May 24, 2019

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 26, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2019 at the address(es) listed below:

Earle D. Lees, Jr. on behalf of Joint Debtor Jennifer L. Galentine
bankruptcybutler@windstream.net, earlelees@ducom.tv;leeser84943@notify.bestcase.com
Earle D. Lees, Jr. on behalf of Debtor Darryl R. Galentine bankruptcybutler@windstream.net,
earlelees@ducom.tv;leeser84943@notify.bestcase.com
James Warmbrodt on behalf of Creditor U.S. Bank National Association, as indenture trustee,
for the holders of the CIM Trust 2018-R2, Mortgage-Backed Notes, Series 2018-R2
bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5